

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
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SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

No. 2118

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S.P. 809 In Senate, January 21, 1988  
Approved for Introduction by a Majority of the Legislative  
Council pursuant to Joint Rule 27.  
Reference to the Committee on Business Legislation  
suggested and ordered printed.  
JOY J. O'BRIEN, Secretary of the Senate

Presented by President PRAY of Penobscot.  
Cosponsored by Senator KANY of Kennebec, Senator BUSTIN of  
Kennebec, Speaker MARTIN of Eagle Lake.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

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**AN ACT to Clarify the Experience  
Requirement for Licensed Dietitians.**

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4 **Emergency preamble.** Whereas, Acts of the  
5 Legislature do not become effective until 90 days  
6 after adjournment unless enacted as emergencies; and

7 Whereas, An Act Requiring Registration of  
8 Dietitians was enacted by the Legislature in 1985 and  
9 amended in 1987 to require licensing for all  
10 practicing dietitians; and

1           Whereas, certain requirements of that law have  
2 prevented and continue to prevent otherwise fully  
3 qualified, practicing dietitians from obtaining  
4 licenses to practice dietetics in the State; and

5           Whereas, these dietitians are in jeopardy of  
6 losing their livelihood; and

7           Whereas, these dietitians are performing valuable  
8 services to the people of the State; and

9           Whereas, in the judgment of the Legislature, these  
10 facts create an emergency within the meaning of the  
11 Constitution of Maine and require the following  
12 legislation as immediately necessary for the  
13 preservation of the public peace, health and safety;  
14 now, therefore,

15 Be it enacted by the People of the State of Maine as  
16 follows:

17           **Sec. 1. 32 MRSA §9907, sub-§1, ¶C,** as enacted  
18 by PL 1985, c. 389, §28, is amended to read:

19           C. An applicant shall submit to the board  
20 evidence of having successfully completed the  
21 experience requirements approved by the American  
22 Dietetic Association or equivalent experience  
23 approved by the board. That experience shall  
24 include at least 6 months full-time ~~clinical~~  
25 experience in the field of dietetics, or its  
26 part-time equivalent. The experience shall have  
27 been acquired during or within 5 years of  
28 completion of the academic requirements in  
29 paragraph B ~~and~~ or not more than 5 years before  
30 the date of license application.

31           **Sec. 2. 32 MRSA §9907, sub-§1, ¶D,** as enacted  
32 by 1987, c. 313, §5, is amended to read:

33           D. The applicant must have successfully completed  
34 an examination given by the American Dietetic  
35 Association or its equivalent as determined and  
36 administered by the board. The examination

1 requirement of this paragraph shall not apply to  
2 an applicant who presents evidence of having  
3 practiced dietetics for a period of 10 years.

4 **Emergency clause.** In view of the emergency  
5 cited in the preamble, this Act shall take effect when  
6 approved.

7 STATEMENT OF FACT

8 The provisions of the dietitian registration laws  
9 which were amended in 1987 to require licensing of all  
10 practicing dietitians in this State have inadvertently  
11 prevented certain fully qualified dietitians from  
12 being licensed to practice in this State. One  
13 dietitian who is academically qualified and has  
14 practiced dietetics for over 25 years was denied a  
15 license by the board because of certain technical  
16 requirements of the law.

17 This bill changes 2 paragraphs of the dietitian  
18 registration laws to allow the board to consider  
19 somewhat broader experiences as meeting the 6-month  
20 experience requirement for applying for a license. In  
21 addition, it allows an applicant to gain that  
22 experience either within 5 years of graduating from an  
23 approved college program or within 5 years of applying  
24 for a license. Currently, the law may prevent anyone  
25 who graduated from college more than 5 years ago from  
26 applying for a license.

27 The bill also exempts anyone who has 10 or more  
28 years of experience in this field of dietetics from  
29 the newly enacted examination requirement.

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